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 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO DIVISION

15 NETWORK APPLIANCE, INC.
 16 Plaintiff/Counterdefendant,
 17 v.
 18 SUN MICROSYSTEMS, INC.,
 19 Defendant/Counterplaintiff.

CASE NO. C-07-06053 EDL (JCS); C-07-05488 EDL (JCS); C-08-1641 EDL (JCS)

**[PROPOSED] ORDER AND
 STIPULATION REGARDING
 EXTENSION TO EXCHANGE
 SETTLEMENT PROPOSALS**

21 Sun Microsystems, Inc. ("Sun") and Network Appliance, Inc. ("NetApp"), by and through
 22 their undersigned attorneys of record, hereby stipulate and agree as follows:

- 23 (1) No later than April 29, 2008, Sun and NetApp shall each make a settlement
 24 proposal, in writing, with a copy to Judge Spero;
 25
 26 (2) No later than May 6, 2008, Sun and NetApp shall each respond and make a
 27 counter-proposal, in writing, with a copy to Judge Spero;

1 (3) All other dates set forth in the March 3, 2008 and April 4, 2008 Notices of
2 Settlement Conference and Settlement Conference Orders remain unchanged.
3

4 Dated: April 24, 2008
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6 DLA PIPER US LLP
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8 /s/ Christine K. Corbett
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10 DAVID ALBERTI
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11 Attorneys for
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12 Dated: April 24, 2008
13

14 /s/ Jill J. Ho
15

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19 Attorneys for
20 Network Appliance, Inc.
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IT IS SO ORDERED
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Dated: April 28, 2008
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29 [PROPOSED] ORDER AND STIPULATION RE EXTENSION
TO EXCHANGE SETTLEMENT PROPOSALS:
USDC CASE NO. C-07-06053; C-07-05488 EDL; C-08-1641 EDL